

NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

California Rules of Court, rule 8.1115(a), prohibits courts and parties from citing or relying on opinions not certified for publication or ordered published, except as specified by rule 8.1115(b). This opinion has not been certified for publication or ordered published for purposes of rule 8.1115.

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

ESTEVAN ALVAREZ,

Defendant and Appellant.

F057483

(Super. Ct. No. F07901577)

OPINION

THE COURT*

APPEAL from a judgment of the Superior Court of Fresno County. Edward Sarkisian, Jr., Judge.

Ross Thomas, under appointment by the Court of Appeal, for Defendant and Appellant.

Office of the State Attorney General, Sacramento, California, for Plaintiff and Respondent.

-ooOoo-

*Before Levy, Acting P.J., Gomes, J., and Kane, J.

On February 24, 2007, appellant, Esteven Alvarez, drove his car at 70 to 80 miles per hour into a line of cars stopped for a red light. The impact caused a car driven by Donald Washburn to be pushed underneath a pickup, killing him almost instantly. Alvarez subsequently pled guilty to two misdemeanors, driving with a suspended license with priors (Veh. Code, 14601.2, subd. (a)) and unlawful vehicle operation (Veh. Code, § 23247, subd. (e)), and was convicted by a jury of gross vehicular manslaughter (Pen. Code, § 192, subd. (c)(1)). Following Alvarez's appeal, this court remanded the matter to the trial court for a determination of victim restitution.

On February 10, 2009, the court conducted a restitution hearing. At the conclusion of the hearing, the court ordered Alvarez to pay a total of \$24,648.08, \$19,629.93 in direct victim restitution and \$5,018.15 to the Victim Compensation Board expended for the costs for the victim's funeral expenses. The victim restitution was made up of \$472.93 for funeral expenses, \$992 to reimburse the victim's wife for lost wages and \$18,165 for loss of the victim's future wages.

Alvarez's appellate counsel has filed a brief which summarizes the facts, with citations to the record, raises no issues, and asks this court to independently review the record. (*People v. Wende* (1979) 25 Cal.3d 436.) Alvarez has not responded to this court's invitation to submit additional briefing.

Following independent review of the record, we find that no reasonably arguable factual or legal issues exist.

The judgment is affirmed.